

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

SIFREDO SOLA, and all others similarly  
situated,

Plaintiffs,

v.

CLEANNET USA, INC.

Defendant.

Civil Action No.  
12-10580

**PLAINTIFFS' ASSENTED-TO MOTION  
FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT**

Following the Court's granting of preliminary approval of the settlement reached by the parties, see Docket 27, 29, as outlined in the agreement, Plaintiffs' counsel sent out the approved notices and claim forms to the class members. This notice, which was distributed in English, Spanish, and Portuguese, is attached here as Exhibit A. No class members have objected to the settlement, and no class members have opted out of the settlement. To date, 229 class members have submitted claim forms to receive their shares of the settlement, accounting for more than half of the settlement proceeds.<sup>1</sup> A spreadsheet showing the distribution of the settlement funds to class members (with names redacted) is attached here as Exhibit B. As shown in that spreadsheet, most class members will be receiving thousands of dollars in settlement payments, and a

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<sup>1</sup> Of the notices mailed to the 461 class members, 97 were returned as undeliverable. However, of those 97, Plaintiffs' counsel were able to find updated addresses for 69 of those class members. Thus, only 28 mailings were returned as undeliverable for which Plaintiffs' counsel have not yet been able to find an updated address.

number of them will be receiving in the tens of thousands of dollars.<sup>2</sup> Plaintiffs' counsel will continue their efforts to reach as many class members as possible, and expect that many more will be located, and able to receive their settlement payment, during the two-year period over which payments will be made for the settlement.<sup>3</sup>

As notice has been distributed as set forth in the prior approval motion, and there have been no objections to the settlement, Plaintiffs respectfully request that the Court now grant final approval of the settlement. The formal settlement agreement is attached here as Exhibit C.<sup>4</sup> Upon the Court's granting of final approval, Defendant will make the first installment of the settlement payment, which will be distributed in December to class members who have submitted claims in the settlement. Attached as Exhibit D is a proposed order of approval and dismissal.

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<sup>2</sup> Any settlement funds that are not claimed by the time the final payment is made in December 2015 will be distributed to class members who have submitted claim forms, in proportion to their original shares. Unclaimed funds from the first and second distributions will be distributed to class members who have submitted claims to date, and a portion will be held to pay late claims that are received before next December, as well as to be used to resolve any disputes that may arise regarding the distribution of funds.

<sup>3</sup> Given that this class is composed primarily of immigrant workers, who frequently move, and many of whom will have returned to their home countries, Plaintiffs' counsel believes the response rate obtained already is quite high. Assisted by two paralegals who are fluent in Spanish and Portuguese, Plaintiffs' counsel have been able to reach a large number of class members by phone, as well as through the notice mailing, and follow-up mailings. They will continue these outreach efforts through the distribution process.

<sup>4</sup> As described in the attached agreement, Defendant is sending out notice to the appropriate state and federal officials, pursuant to the Class Action Fairness Act ("CAFA"), 28 U.S.C. § 1715. Should any officials respond to this notice within 90 days, the parties will notify the Court and request the matter to be reopened to address any such response. Should no response be received to this notice within 90 days, the dismissal of this case will remain final.

Respectfully Submitted,

SIFREDO SOLA, on behalf of himself  
and all others similarly situated,

By his attorneys,

/s/ Shannon Liss-Riordan  
Shannon Liss-Riordan, BBO # 640716  
LICHTEN & LISS-RIORDAN, P.C.  
100 Cambridge Street – 20th Floor  
Boston, MA 02114  
(617) 994 – 5800

DATED: November 25, 2013

**CERTIFICATE OF CONFERENCE**

I hereby certify that I have conferred with counsel for Defendant who has assented to the granting of this motion.

/s/ Shannon Liss-Riordan  
Shannon Liss-Riordan, Esq.

**CERTIFICATE OF SERVICE**

I hereby certify that on November 25, 2013, a copy of this document was served by electronic filing on all counsel of record.

/s/ Shannon Liss-Riordan  
Shannon Liss-Riordan, Esq.